



COPY

Patent
246/265

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Applicant: Thomas E. Tamburrini and
Matt D. Schler**

Serial No.: 09/557,637

Filed: April 25, 2000

**For: OPTICAL DATA READER WITH
CONTROL MECHANISM
IMPLEMENTED BEHIND THE
WINDOW**

Group Art Unit: 2721

Examiner: N/A

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 C.F.R. § 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 C.F.R. § 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicants as such.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 24, 2000
Date of Deposit

Robert S. Mayer, Esq.

Name of Person Mailing Paper

Robert S. Mayer 8/24/2000

Signature of Person Mailing Paper WP-9043.1

This IDS is believed to be timely in that it is being submitted under 37 C.F.R. § 1.97(b)(3), that is before the mailing of a first Office action on the merits. Thus, no petition or fee is required. However, if the undersigned is in error in this regard, then it is requested that the Office consider this IDS as filed under 37 C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any fees required by the filing of these papers to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: August 24, 2000

By: 

Robert S. Mayer, Esq.
Reg. No. 38,544

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(213) 489-1600

Enclosures

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

APPLICANT:

Thomas E. Tamburrini et al.

FILING DATE:

April 25, 2000

GROUP:

2624

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA	5,007,691	4/1991	Bobba et al.	350	6.7	
AB	5,682,028	10/1997	Coleman	235	462	
AC						
AD						
AE						
AF						
AG						
AH						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	TRANSLATION NO
AI							
AJ							
AK							
AL							
AM							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AN	
AO	
AP	
AQ	
AR	

EXAMINER:**DATE CONSIDERED:**

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant



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51306/667:1
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Thomas E. Tamburrini et al.

Serial No.: 09/557,637

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For: OPTICAL DATA READER WITH
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Examiner: To be Assigned

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INFORMATION DISCLOSURE STATEMENT

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Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 10, 2002

Date of Deposit

PortInd2-4398362.1 0051306-00667

Sandi Lekar

Name of Person Mailing Paper

Signature of Person Mailing Paper-0

filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☒ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

☐ Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

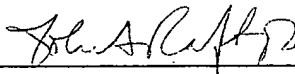
- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☒ Please charge PSC's Deposit Account No. **13-4953** for the above fee(s).
- ☒ The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any fees which may be required that are not covered.¹

Respectfully submitted,

STOEL RIVES LLP

Dated: December 10, 2002

By: _____


John A. Rafter, Jr.
Reg. No. 31,653

STOEL RIVES LLP
900 SW Fifth Ave., Suite 2600
Portland, OR 97204-1268
(503) 224-3380

¹ The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.

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The stamp of the PTO hereon acknowledges receipt of the following documents in re application No. 09/557,637, filed April 25, 2000 of Thomas E. Tamburrini et al. for OPTICAL DATA READER WITH CONTROL MECHANISM IMPLEMENTED BEHIND THE WINDOW: Information Disclosure Statement, PTO-1449 (with references), and return receipt postcard.

Date: December 10, 2002

51306/667:1

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JAR:sl

